

REQUEST FOR COURT ACTION / DIRECTION

TO: Honorable Stephen C.
Robinson
U.S. District Judge

OFFENSE: Obstruction of Justice (18 U.S.C.
1512(c))

ORIGINAL SENTENCE: Thirty (36) months
probation

FROM: Nancy Arce
U.S. Probation Officer

SPEC. CONDITIONS: Six (6) months home
confinement with electronic monitoring; \$100.00
special assessment fee; \$30,000.00 fine; \$125,000.00
restitution; at the direction of the U.S. Probation
Officer the defendant shall provide financial
statements as requested to the Court may be fully
aware of the defendant's financial status.

AUSA:

RE: Elia Fiata
Docket # 7:07 CR 1189

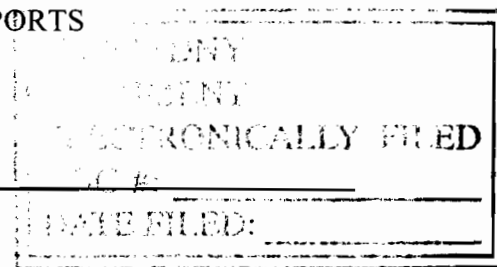
DATE OF SENTENCE: January 30, 2007

DATE: February 13, 2008

ATTACHMENTS: PSI ☒ JUDGMENT ☒ PREVIOUS REPORTS
VIOLATION PETITION

REQUEST FOR: COURT DIRECTION ☒

EARLY TERMINATION



On January 15, 2008, Mr. Fiata appeared for sentencing before the Honorable R. Bryan Harwell, U.S. District Judge for the District of South Carolina, after having entered a plea of guilty to one count of Obstruction of Justice, in violation of 18 U.S.C. 1512(c)).

In as much as Mr. Fiata, a long-time resident of Yonkers, NY, resided within the confines of our district, he began serving his term of probation under our charge immediately after his sentencing.

On December 19, 2007, jurisdiction of this case was accepted into this district and the matter re-assigned to Your Honor under Docket No. 7:07 CR 1189.

FIATA, ELIA

P46892/N.A.

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SUPERVISION ADJUSTMENT:

Mr. Fiata has completed over one-year of his three-year term of probation. He continues to reside with his wife at 5 Pondview Lane, Yonkers, NY, 10710. He is a self-employed licensed Certified Public Accountant and works out of his office located at 35 East Grassy Sprain Road, Suite 303, Yonkers, NY, 10710.

The probationer has been in compliance with all of the terms of his probation. He has reported for office visits as directed and has provided all requested documentation. On February 23, 2007, he paid his special assessment, restitution and fine in full. On April 16, 2007, he began serving his six-month term of home confinement and electronic monitoring, which he completed on October 15, 2007, without incident.

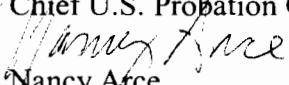
On February 8, 2008, contact was made with Assistant U.S. Attorney Winston Holliday of the District of South Carolina who was apprised of Mr. Fiata's progress during his supervision term and who expressed no objection to our intention to seek an early termination of his probation.

RECOMMENDATION:

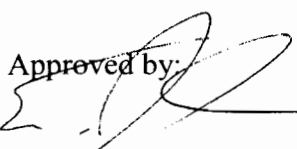
Mr. Fiata has satisfied all of the stipulations of his probation and requires minimal supervision at this time. Given his demonstrated history of compliance, and in the best interest of justice, we respectfully recommend that his term of probation be terminated early.

Enclosed for Your Honor's review is a copy of the Pre-Sentence Report and the Judgement and Commitment Order. Should Your Honor require any further information regarding this matter, please feel free to contact the undersigned at (914)390-4044.

Very truly yours,

Chris J. Stanton
Chief U.S. Probation Officer

Nancy Arce
U.S. Probation Officer

Approved by:


Edward Johnson Date
Supervising U.S. Probation Officer



Fiata, Elia
7:07 CR 1189

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PROBATION OFFICE**

Judicial Response

THE COURT ORDERS:

☐ The Issuance of a Summons

The Offender is directed to appear as follows:

Date: _____

Time: _____

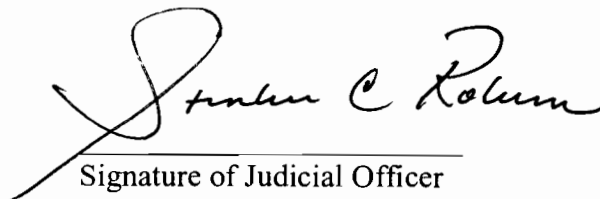
Place: _____

☐ The Issuance of a Warrant

☐ Submit a Request for Modifying the Condition or Term of Supervision

☒ Recommendation for Early Termination Granted

☐ Other


Signature of Judicial Officer

3/10/08
Date